

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15168 of 2013

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Bageshwar Prasad Singh Son of Late Bhupali Prasad Singh Resident of
Village And P.O. Khanpur Marg, P.S. - Bath, Block - Sultanganj, District -
Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Forest and Environment, Government of Bihar, Patna.
2. The Chief Conservator Of Forest, Anchal- Purnia
3. The Regional Chief Conservator of Forest, Bhagalpur
4. The District Forest Officer, Araria.
5. The Forest Range Officer, District Araria.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Nagadeo Choubey, Advocate Mr. Amaresh Kumar Sinha, Advocate
For the State	:	Mr. Akhileshwar Singh, AC to GA-2

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

7 03-12-2025

1. Heard learned counsel for the parties.

2. The petitioner has filed the instant application for
the following reliefs :-

*“i) A writ in the nature of mandamus
or any other appropriate writ or order or
direction be issued, commanding the respondent
to consider the grant of the 1st Assured Career
Progression (ACP) in – as – much – as the
persons appointed after the petitioner as Forest
Guard were given the benefit of both the 1st and
the 2nd ACP.*

*ii) A writ in the nature of mandamus
or any other appropriate writ or order or
direction be issued, commanding the respondent*



to dispose of the representation of the petitioner consider the grant of the 1st Assured Career Progression (ACP) in – as – much – as the persons appointed after the petitioner as Forest Guard were given the benefit of both the 1st and the 2nd ACP

iii) Any other relief to which the Petitioner may be found entitled.”

3. This Court having heard the matter, recorded the following order on 7.10.2025 :-

“1. From reading of the order dated 18.8.2025 it transpires that the sole petitioner died during pendency of this application and on prayer made by learned counsel for the petitioner, time was granted to take instructions in the matter.

2. A further prayer for time is being made by learned counsel for the petitioner as he has not been able to contact his client.

3. Learned counsel for the respondents submits that the instant application has been filed by the petitioner for grant of 1st and 2nd ACP. In reference to the counter affidavit filed on behalf of respondent nos.4 and 5 it is submitted that the petitioner was appointed as Mali on 2.5.1969 and soon thereafter got his first promotion from Mali to Forest Guard on 14.7.1971. As such the petitioner was not entitled for 1st ACP.

4. It is further submitted by learned counsel for the respondents that the petitioner



has been given the benefit of ACP i.e. the 2nd ACP by the Conservator of Forest, Purnea Circle, Purnea vide Office Order no.10 dated 18.2.2009. The petitioner thereafter retired as Forester on 31.5.2008. As such it is submitted by learned counsel for the respondents that nothing remains to be decided in the instant application.

5. In view of the above, by way of last indulgence, as prayed by learned counsel for the petitioner put up this case on 3.11.2025.”

4. Learned counsel for the petitioner submits that though he could get in touch with the petitioner, however he has not received any instructions from him in view of and subsequent to the order dated 7.10.2025 recorded herein above.

5. In absence of any instructions, the application is disposed of as not pressed.

(Partha Sarthy, J)

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